

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IN RE PHARMACEUTICAL INDUSTRY
AVERAGE WHOLESALE PRICE
LITIGATION

MDL No. 1456

THIS DOCUMENT RELATES TO ALL
CLASS ACTIONS.

Judge Patti B. Saris
MDL No. 1456
Civil Action No. 01-12257-PBS

**NOTICE OF APPEARANCE OF CURTIS BERGEN ON BEHALF OF BAXTER
INTERNATIONAL, INC. AND BAXTER HEALTHCARE CORPORATION**

Pursuant to Local Rule 83.5.3(b) and paragraph 16 of this Court's Case Management Order No. 1, Curtis Bergen of the law firm of Bowman and Brooke LLP, hereby enters his appearance on behalf of Defendants Baxter International, Inc. and Baxter Healthcare Corporation in the above-captioned matter.

Mr. Bergen is not a member of the bar of the United States District Court for the District of Massachusetts, but respectfully seeks admission *pro hac vice* in accordance with the procedure set forth in this Court's Case Management Order No. 1. The Certificate of Good Standing attached hereto as Exhibit A demonstrates that Mr. Bergen is a member of the bar in good standing in every jurisdiction where he has been admitted to practice and is familiar with the Local Rules of this Court.

The appropriate \$50 filing fee has been submitted to the Clerk under separate cover.

Respectfully submitted,

/s/ Merle M. DeLancey

Merle M. DeLancey (admitted *pro hac vice*)

J. Andrew Jackson (admitted *pro hac vice*)

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Attorneys for Defendants Baxter International Inc. and
Baxter Healthcare Corporation.

CERTIFICATE OF SERVICE

I, Eden M. Heard, certify that a true and correct copy of the foregoing Notice of Appearance was delivered to all counsel of record by electronic service pursuant to Paragraph 11 of the Case Management Order No. 2, by sending on March 23, 2006, a copy to Lexis/Nexis for positing and notification.

/s/ Eden M. Heard

Eden M. Heard